Dkt. 0655/66653-A-B



## **DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## METHOD AND APPARATUS FOR DISCOVERING EVOLUTIONARY CHANGES WITHIN A SYSTEM (Title of Invention)

the specification of (check one)	which:		•
	is attached hereto.		
	X was filed on	January 20, 2004	
	Application Serial No	10/762,090	
	and was amended by		· •
		(if applicable	)
•	have reviewed and understan nded by any amendment refer	nd the contents of the above-ident rred to above.	ified specification, including
•	luty to disclose to the Office a Code of Federal Regulations	ell information known to me to be s, Section 1.56.	e material to patentability as
365(b) of any fore International Appli have also identified	ign application(s) for patent cation which designated at led I below any foreign application	Title 35, United States Code, So t or inventor's certificate, or a ast one country other than the U on for patent or inventor's certi the earliest application from whi	Section 365(a) of any PCT Inited States, listed below. I ficate, or PCT International
Prior Foreign Appl	lication(s)		Priority Claimed
<u>Number</u>	<u>Country</u>	Filing Date	<u>Yes</u> <u>No</u>
•			
			<del>-</del> .
•			•

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Provisional Application No.	Filing Date	<u>Status</u>
60/373,780	April 19, 2002	
60/373,977	April 19, 2002	
60/374,020	April 19, 2002	<del> </del>
60/374,024	April 19, 2002	•
60/374,041	April 19, 2002	
60/374,064	April_19, 2002	

I hereby claim the benefits under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the united States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:

Application Serial No.	<u>Filing Date</u>	<u>Status</u>
10/412,993	April 14, 2003	
	-	

And I hereby appoint Ivan S. Kavrukov (Reg. No. 25161); Christopher C. Dunham (Reg. No. 22031); Norman H. Zivin (Reg. No. 25385); John P. White (Reg. No. 28678); Robert D. Katz (Reg. No. 30141); Peter J. Phillips (Reg. No. 29691); Richard S. Milner (Reg. No. 33970); Richard F. Jaworski (Reg. No. 33515); Paul Teng (Reg. No. 40837), and each of them, all c/o Cooper & Dunham LLP of 1185 Avenue of the Americas, New York, New York 10036 (Tel. 212-278-0400), my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected herewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to:

Richard F. Jaworski Reg. No. 33,515

Cooper & Dunham LLP 1185 Avenue of the Americas New York, New York 10036 Tel. (212) 278-0400 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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